

REMARKS

Upon entry of this Amendment, claims 1-3, 5-7 and 9-14 are all the claims pending in the application. Claims 12-14 have been added and claims 4 and 8 have been canceled. Claims 1-11 presently stand rejected.

IDS

Applicant has not yet received the initialed PTO-1449 filed with the Information Disclosure Statement on February 22, 2002.¹ The Examiner is respectfully requested to return an initialed copy of the PTO-1449.

Drawings

The Examiner has not yet indicated approval of the drawings filed on February 22, 2002. Applicant respectfully requests such acknowledgement.

Claims

Claims 1, 3-8 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wild et al. (USP 5,167,094).

Claims 2 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wild et al. (USP 5,167,094) in view of Shibayama et al. (USP 5,483,823).

Claim 9 is rejected under 35 U.S.C. § 103(a) as being over Wild et al. (USP 5,167,094) in view of Harada Kunio (9-281009, *cited by Applicant in IDS*).

For the reasons set forth below, Applicant respectfully traverses the prior art rejections and requests favorable disposition of the application.

¹ It is noted that the Examiner cites JP '009 in the current Office Action and JP 2001-50834 published less than one year before Applicant's filing date.

Argument

To review briefly, the claimed invention is directed to a lateral force-measuring device for a wheel, which includes a rotator axially installed with universal function for moving in an axial direction and dependently rotated by rotation of a pressed wheel, and a load-measuring device for measuring a moving load for an axial direction of the rotator when the rotator is rotated by the pressed wheel.

Independent claim 1 recites, *inter alia*, a load-measuring device that measures a moving load in the axial direction, wherein the moving load can be either of both a tensile load and a compression load. Wild, and all the other cited prior art references, fails to disclose at least this claim limitation. In particular, Wild discloses a loading drum 22 (Fig. 1) that freely rotates and moves “in a manner dependent on the forces exerted by the tire 10 as it rotates.” (Col. 5, lines 8-14). These forces are then measured by measurement devices 30(1) and 30(2) to determine the lateral force measurements imparted by each tire portion, 12_{1-N}, as the tire portions contact the drum 22. (Col. 5, lines 61-64). There is no disclosure whatsoever in Wild, however, explaining how the lateral forces are measured. Specifically, Wild does not disclose that the lateral force measured by devices 30(1) or 30(2) is either of both a compression force and a tensile force. In fact, it is clear from reading Wild that the force measured by the measurement devices must be one or the other type of force and can not be either a compression force or a tensile force.

For example, two measurement devices are required in the Wild device and, thus, it is abundantly clear that these devices can measure only one of either a compression force or a tensile force, if either. In claim 1, the single load-measuring device can measure the force regardless of whether it happens to be a compression force or a tensile force. Accordingly,

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claim 1, and all claims dependent thereon, specifically, claims 2, 3, 5-7 and 9, is patentably distinct from the cited prior art.

Additionally, claim 3 recites independently patentable subject matter by reciting, wherein said rotator is attached to the dog and said load-measuring device is operable to measure a moving load of the dog. As discussed above, Wild, as well as the other cited references, does not disclose at all how any lateral forces are actually measured and it clearly does not disclose a dog attached to the drum where the lateral force measurement is performed based on movement of the dog. For this additional reason claim 3 is patentable over the cited prior art.

Additionally, claim 5 recites independently patentable subject matter by reciting, wherein the wheel driving device comprises a throb motor operable to stably control the rotation of said wheel and prevent excessive force from being exerted on the wheel. Wild does not disclose at all the drive device and, thus, it cannot be said that Wild discloses a throb motor for preventing any excessive force from being exerted on the wheel being tested. For this additional reason claim 5 is patentable over the cited prior art.

For similar reasons to those discussed above in regard to claims 1-3, 5-7 and 9, claims 10 and 11 also recite patentable subject matter.

For all the reasons set forth above, in particular because none of the cited prior art references, either alone or in combination, discloses all the recited elements of the claims, it is respectfully requested that the rejection of claims 1-3, 5-7 and 9-11 be withdrawn.

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Patentability of New Claims

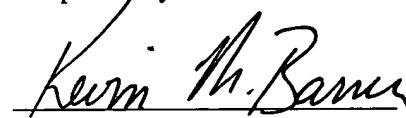
For additional claim coverage merited by the scope of the invention, Applicant has added new claims 12-14. Applicant submits that the prior art does not disclose, teach, or suggest the combination of features contained therein.

Conclusion

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-3, 5-7 and 9-14, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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